



ATTORNEY DOCKET NO. 056100-00274

TECH CENTER 1600
PATENT 2003
MAR 24 2003
1600/2900

RECEIVED
AF MAR 6 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Se-Jin LEE

Application No.: 08/966,233

Filed: November 7, 1997

For: **GDF-1 GENE**

) Group Art Unit: 1631

) Examiner: M. P. Allen

Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated October 21, 2002. A Notice of Appeal was filed on January 21, 2003.
2. Additional papers enclosed:

Appeal Brief submitted in triplicate w/Exhibits A-H

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

[] Applicant petitions for an extension of time, the fees for which are set out in 37CFR § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for <u>Extension</u>	[Fee for Small Entity]
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 400.00	\$200.00
[] three months	\$ 920.00	\$460.00
[] four months	\$1,960.00	\$980.00

Extension of time fee due with this request: \$_____

If an additional extension of time is required, please consider this a Petition therefor.

[] An extension for ___ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

[X] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Payment

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR § 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: **March 21, 2003**

By:


Bonnie Weiss McLeod
Reg. No. 43,255

CUSTOMER NO. 09629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Ave., NW
Washington, D.C. 20004
202-739-3000
202-739-3001